IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.1378 OF 2007

IN

APPEAL (L) NO.313 OF 2007

AND

APPEAL (L) NO.313 OF 2007

...

Shri Chandrakant Keshav Thukrul ...Appellant

v/s.

M/s.Gold Mohur Mills ...Respondent

...

Ms.Kumud A. Bhatia for the Appellant.

None for the Respondent.

...

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 8TH AUGUST, 2007

P.C.:

1. Assuming that there is sufficient cause shown for condonation of delay in filing the appeal, we heard the learned Counsel for the Appellant on merits of the Appeal.

2. Perusal of the order of the learned single Judge shows that the learned single Judge has modified the order only to the extent of backwages and directed to pay 40% of back wages with effect from 1st October, 1985 to 4th February, 1997 and also directed to pay interest in the ratio of 60% and 40% on the amount of backwages which was deposited in the court. The appellant has also got his job back. He is also getting 40% of the backwages. Perusal of the evidence on record shows that there is no clear statement made by the Appellant that he was not employed during the intervening period. In these circumstances, therefore, we see no reason to interfere with the order impugned. Motion & Appeal are disposed of.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)